

UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

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|------------------------------|---|------------------------|
| GERRY MOBLEY, JR., | : | |
| Plaintiff | : | |
| | : | |
| vs. | : | CIVIL No. 1:14-CV-0035 |
| | : | |
| JOHN WETZEL, <i>et al.</i> , | : | |
| Defendants. | : | |

O R D E R

AND NOW, this 31st day of March, 2015, upon consideration of the Report and Recommendation of Magistrate Judge Schwab (Doc. 124), filed on March 10, 2015, to which no objections were filed, and upon independent review of the record, it is ordered that:

1. Magistrate Judge Schwab's Report and Recommendation is ADOPTED.
2. The Motion to Dismiss filed by Defendants Keith and Trimai (Doc. 65) is GRANTED.
3. Plaintiff's complaint is DISMISSED WITHOUT PREJUDICE. Plaintiff is granted leave to file a final amended complaint that is consistent with the contents of the Report and Recommendation.
4. The remaining motions to dismiss (Doc. 67, 68, 92, 103) are DENIED as moot.
5. Plaintiff's Motion for Default Judgment (Doc. 90) is DENIED as moot.
6. This matter is remanded to Magistrate Judge Schwab for further proceedings.

/s/William W. Caldwell
William W. Caldwell
United States District Judge